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Memorandum

TO: Applicants and Consultants

FROM: Elizabeth H. Muzzey, Director, New Hampshire Division of Historical Resources/State Historic Preservation Officer

RE: Information Policy for Identification of Historic Properties for Telecommunications Projects /Section 106

DATE: November 2015

- Notice: The New Hampshire Division of Historical Resources (DHR) participated in the Federal Communication Commission's (FCC) e106 filing system between November 2011 and December 2012 and has determined that it will continue to utilize the system to facilitate a streamlined Section 106 review process into the future. Consultants must continue to provide a hard copy of the FCC forms along with a New Hampshire Request for Project Review form in order to initiate Section 106 review with our office. The DHR will continue to provide hard copy responses (if return envelope is provided) as well as upload them to the e106 system. All necessary materials outlined below must continue to be included in all submissions.
- Please contact Nadine Peterson, Preservation Project Reviewer, at 603-271-6628 if you have questions regarding this policy.

The purpose of this memorandum is to establish a clear policy on the New Hampshire Division of Historical Resources' (DHR) requirements in relationship to the Nationwide Programmatic Agreement and other Federal and State reviews for telecommunications project submittals. The goal of this policy is to provide guidance that will outline ways to avoid impacts on historic resources while providing telecommunications services through the consultation process and with the assistance of the FCC.

The Nationwide Programmatic Agreement strongly encourages applicants to use the services of professionals who meet the Secretary of the Interior's Professional Qualification Standards, particularly when identifying above-ground historic properties and evaluating eligibility for the National Register (Section VI(D)(1d)). Doing so will facilitate the review process and preclude the need for unnecessary delays due to inadequate submissions or analyses. Identification and evaluation relating to archeological resources shall be performed by a professional who meets the Secretary of the Interior's Professional Qualification Standards in archeology.

The DHR recognizes the effort to streamline the review process and acknowledges the revisions to the FCC's rules as set forth in the Nationwide Programmatic Agreement, particularly with respect to reducing the research burden inherent in the identification and evaluation process. However, relying on existing published survey and inventory records as the basis for identifying potentially affected historic properties will not identify all listed and/or eligible properties in New Hampshire because not every surveyed or eligible resource in the state has been inventoried, and the DHR is continually adding properties and sites to the state's inventory.

Relying only on a file search at the DHR will not result in a comprehensive finding of both listed and eligible resources within a project's area of potential effects. The only thorough and conclusive way to identify both listed and eligible resources is to complete a file search and then complete field studies, as needed. It is the responsibility of the FCC to identify historic properties within the area of potential effects. The DHR's assistance in identifying historic resources consists of making the state's survey and inventory files available to the public. The DHR research facilities are open 8am to 4pm Monday through Friday and files are available to the public by appointment (contact Tanya Krajcik, Records Coordinator, at 603-271-6568 or tanya.krajcik@dcr.nh.gov to arrange an appointment).

To ensure a reasonable and good faith effort has been made to identify historic properties within the area of potential effects under the FCC Programmatic Agreement, the following should be included as part of the submission packet:

- Identification and mapping of properties previously listed in or determined eligible for the National Register of Historic Places within the area of potential effects, based on a file search at the DHR offices;
- Architectural field review to locate and photograph (digital photographs are acceptable) all properties more than 50 years of age within the APE of the project (this does not mean completion or submittal of DHR Inventory Forms for properties that have not been previously surveyed);
- Photographs toward the project area from properties that are in the project's area of potential effects and are listed in or eligible for the National Register, or, have been identified through reconnaissance field review as being more than 50 years old;
- In some cases, viewshed analyses within the area of potential effects, using GIS and topographical mapping to indicate what areas would be within the view shed of the project followed by the results of a red balloon, crane test, or photo simulations of the proposed facility, viewed from National Register listed and/or eligible properties when a potential visual impact has been identified, will assist the reviewer in the effects analysis. This can be decided on a case-by-case basis in consultation with DHR staff.

With regard to archaeological sensitivity assessments, the DHR does not accept "desk reviews." It is up to a 36 CFR 61 qualified New Hampshire archaeological consultant to review the site file information located at the DHR and to perform visual assessments when appropriate. If the archaeological consultant determines that the area of potential effects is sensitive for archaeological resources, then results of a Phase IB Survey should be included within the initial submission.

Because New Hampshire's character and heritage relies a great deal on the preservation of scenic view sheds and other environmentally sensitive areas, it should be noted by all consultants and their clients that the DHR strongly discourages lattice towers - except in cases where there is clear evidence that the tower will be completely camouflaged year-round by vegetation. Instead the use of brown stick and flagpole monopoles or other appropriate camouflage or stealth facilities minimize visual impact.

NH State Law RSA 12-K, Chapter 240, Laws of 2000 - An act relative to a state master plan for the deployment of personal wireless service facilities (PWSFs) - became effective on August 7, 2000. The purpose of the law is to provide for the deployment of necessary PWSFs under the federal Telecommunications Act of 1996, while minimizing the visual effects of tall facilities. Varying in height from 35 to more than 250 feet, wireless facilities have a powerful impact on the visual character of a community. Carriers wishing to build PWSFs in New Hampshire should consider commercially available alternatives to tall cellular towers. These may include the use of the following:

- (a) lower antenna mounts that do not protrude as far above the surrounding tree canopies;
- (b) disguised PWSFs such as flagpoles, artificial tree poles, light poles and traffic lights which blend in with their surroundings;
- (c) camouflaged PWSFs mounted on existing structures and buildings;
- (d) custom-designed PWSFs to minimize the visual impact of a PWSF on its surroundings; and,
- (e) other available technology.

It is important to note that these types of alternatives exist and are in operation in many New Hampshire communities.

Proposals lacking the information outlined above – in addition to all other information needed for telecommunications project reviews as identified by the FCC – may not provide adequate documentation for the DHR to concur on a finding of No Historic Properties Affected or No Adverse Effect. The Nationwide Programmatic Agreement allows further discussions between Applicants and the SHPO in order to make a reasonable and good faith effort to resolve any disagreements. Should you need any further information, please contact Nadine Peterson, Preservation Project Reviewer, at Nadine.Peterson@dcr.nh.gov or 603-271-6628.